

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SAMANTHA CARTER,

Plaintiff,

v.

VUK VUJASINOVIC, *et al.*,

Defendants.

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Civil Action No. **3:20-CV-1199-L-BT**

ORDER

On May 26, 2020, the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) (Doc. 38), recommending that the court dismiss without prejudice Samantha Carter’s (“Plaintiff”) claims against the “official-capacity Defendants,”* VB Attorneys, and Kevin Wiggins under Federal Rules of Civil Procedure 4(m) and 41(b) for failure to serve these Defendants as directed by the magistrate judge unless she files a valid return of service as to these Defendants or shows good cause in writing for her failure to do so before the deadline for objecting to the Report expires. No objections to the Report were filed. Plaintiff has also not shown that she served the official-capacity Defendants, VB Attorneys, or Kevin Wiggins; nor has she shown good cause for her failure to do so, or sought an extension.

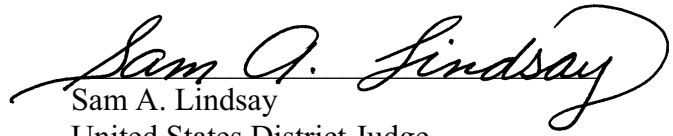
After carefully reviewing the file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the

* As noted in the Report, the “official-capacity Defendants” include: Jerry C. Alexander, Christy Amuny, Jeff Chandler, Alison W. Colvin, Derek Cook, Robert D. Crain, Alistair B. Dawson, Leslie W. Dippel, Michael Dokupil, Estrella Escobar, Victor Flores, Jarrod T. Foerster, Laura Gibson, John Charles Ginn, Shari Goldsberry, Marc E. Gravely, August W. Harris, III, Angelica Hernandez, Joe “Rice” Horkey, Jr., Wendy-Adele Humphrey, Sarah Clower Keathley, Neil D. Kelly, David C. Kent, Joe K. Longley, Aldo D. Lopez, Robert E. McKnight, Jr., Rudolph K. Metayer, Stephen J. Naylor, Christopher Oddo, Amie S. Peace, Sally Pretorius, Curtis Pritchard, Baili B. Rhodes, Lisa S. Richardson, Fidel Rodriguez, Jr., Carmen M. Roe, Gregory W. Sampson, Alan E. Sims, Dinesh H. Singhal, Randall O. Sorrels, G. Thomas Vick, Jr., K. Nicole Voyles, Bradley C. Weber, Amy Welborn, James Wester, and James C. Woo.

court. Accordingly, the court **dismisses without prejudice** all claims asserted by Plaintiff against the official-capacity Defendants, VB Attorneys, and Kevin Wiggins under Rule 4(m) for failure to effect service as to these Defendants and under Rule 41(b) for failure to comply with the court order requiring the same.

Further, to avoid piece-meal litigation and confusion, the court **denies without prejudice** the pending motions to dismiss (Docs. 34, 47) and **directs** Plaintiff to file an amended complaint by July 10, 2020, that removes all claims and related factual allegations with respect to the dismissed official-capacity Defendants, VB Attorneys, and Kevin Wiggins. *Failure of Plaintiff to file an amended complaint by July 10, 2020, will result in dismissal without prejudice of Plaintiff's claims against the remaining Defendants in this case under Rule 41(b) for failure to comply with a court order or failure to prosecute.*

It is so ordered this 18th day of June, 2020.


Sam A. Lindsay
United States District Judge